

(Kape)

Waimea Nov 10 A.D. 1890

Ka Mo'i

S vs ~

William Dix (K.F.) } Ihoopiia no ka huwa Kuai Waimea
Laikini ole maka la 7 o Nov 1890

C.B. Hofgaard: Mahale Olelo

O L.H. Stolz "Hohiki" L. Kahoonei "Hofu"

Ua hoopiia oia malalo o ka Mokuna 44 Pauku i ho-
lolia e ke Kanawai o ka Makahiki 1886 Mokuna 3. Ua
nohoka Oha i hoolohe i keia hihia. Ua hoole mai
ka mea hoopiia i kona huwa.

Eia iho ka olelo ike a na Hoike o ka aoao ho-
piia i hohiki ia.

Peleue Hohiki ia

1 Peleue kou inoa noho ma Waimea nei, ua ike mua
au i ka mea hoopiia, ua ike mua au i kela omo-
le ma kahi o ka mea hoopiia, maka la 7 o Nov
1890 Poalima ika wa a makou i hele aku ai me
Keaupuni a me Makawela i kahi o ka mea ho-
piia, ku mana ma ka puka me Makawela he-
le o Keaupuni e hui me ka mea hoopiia ni-
mai i ka luma. Ae mai ka mea hoopiia
Keaha ke kumukui o ka omole, hai mai ka
mea hoopiia elua dala (\$2.00) kii ka mea
hoopiia i keia omole a loa mai, haawi
o Keaupuni ina dala \$2.00 ia manawa
hoomaka makou e hoi mai ia manawa
ua ike maka au i ka haawi ia ana mai
o ka omole, a i ka lima o Keaupuni, ua

ike maka au i ka haawii ana i ke dala
\$2.00 i ka mea hoopiia. no ka omole keia mau
dala \$2.00. hoopiia makou, ma ka lima o ka Luna
Makai L. H. Stolz a hiki i keia la. I ka po
ko makou hiki ana ma kahi o ka mea hoo-
piia, ma au poelele no haalele au i kou
hale, hele ~~poelele~~ loli i kahi o ka mea hoo-
piia, makou like no me Keaupuni ma ia
wahi hookahi a hele mai. He kala ma kaha-
wai, he kala ma ke alani, he lanai mauka
he lanai makai nei, elua puka komo, a o
ka puka ma ka lanai akolu, ma ka puka
makai aku nei makou i komo ai, ma ka
puka pono i mau i ku ai. kuki no ko
loko o ka hale, iluna o ke pakaukau kahi
i ku ai, ma ka lanai mahope ka omole
kahi i wahi ai, ma ka lumi ma ka aoao
ma Kahawai, haawii ma ka lima o ka mea
hoopiia ke dala e Keaupuni mai kona
pakeke ae. he mau dala paa elua, ma ka
aoao mauka o ke pakaukau lanai i ku
ai, a o he mahina o kela po, hele pololi
makou a hiki i kahi o ka Luna Makai
i kela po.

Makawela "Hohikiia"

Makawela kou inoa, noho ma Waimanui. kama-
aina au i ka mea hoopiia, ma halawai au me ia
ma ka po poalima la 7 o Nov. ma ko William Dix

Hale, ekolu makou oua o Peleue me Keaupuni, hele
makou malaila kuai lama, na loa ka lama
maia a William Dix mai, he palani ka lama
hookahi omole, haawia ia Keaupuni, kuai ia
elua dala, na Keaupuni i haawi ke dala ia
William Dix, na ike au ika haawia ana, o
ka omole mai ia William Dix mai, ia Keau-
puni, na ike au ika haawia ana o ke dala mai
ia Keaupuni aku ia W. Dix, lawe makou i ke-
la omole ia Lue, keia omole no, ano liula ana,
aole poelele hoomaka mai makou e hele, hele
pololei makou a hiki ma ka hale o ka mea hoopiia
ia na ka lis, na Kiponaiki ka hale o ka mea
hoopiia, kokoke ike alani, na hanaia he man-
lumi, na ka lanai mahope elua puka o ke-
la hale, makai a mauka kiki iluna, kela hale
i ka hale iluna makou, na ka aoo hikina ke
alapii, makai nei ke alo o ka hale o Keaupuni,
kai komo iloko, na ka ipuka oua me Peleue,
mawaho o ka puka, ku wau ma kahi aoo, ku
o Peleue ma kahi aoo, hanaia ka puka ia
wa, iloko o ka hale ka mea hoopiia, e ku ana
iluna, komo o Keaupuni a hui pu me ka
mea hoopiia, na ka aoo hikina o ka hale
aoohe mea keakea mawana olana, ninau o
Keaupuni ika lama ika mea hoopiia, pa-
ne ka mea hoopiia he palani wale no ka
lama, ninau aku Keaupuni i ke kumakuai

o ka omole i mai ka mea hoopiia \$2.00 ae o
Keaupuni ia kumukui, ma kaluni mauka
ka luma, ma kahi no i kumua ai o Keau-
puni malaila no i haawia mai ai ka omole,
malaila no i haawia ai ke dala, kapae iki
ma ka aua ma Kahawai ko luma wahi i
ku ai, mai ka lima aku no o Keaupuni ke
dala a ka lima o ka mea hoopiia, hookahi
dala paa elua hapalua helilei, loa kela
omole hoi makou me kela omole i koma-
kou hale, i ke ao ana ae ko lawe ana mai
a makou i kela omole inua o Lii poaono ia
owau o Peleue + Keaupuni kai hele inua o ke
Kafena makai, nan i lawe mai ka omole a
hiki i kai nei na Keaupuni i haawia
Lii, na niman makou ia Mele i mai o
Mele na hele oe.

Keaupuni Hooikiia

Keaupuni kou inoa, noho ma ka Apana o
Waima, na ike no au ika mea hoopiia ma ka
la o Nov. Poalima ma Kiponaiki ma kona
hale, owau o Makawela au Peleue kai hele ma-
laila, hele makou e kuai ika luma, nan i kuai
mai kela haole mai, he palani ka luma elua
dala ke kumukui nan i haawi aku i kela
haole, haawi aku ^{ma} ma ka lima ona, man-
dala paa elua haawi mai keia haole iau he
kiaha luma palani, mahope o ke kuai ana.

hoihoi au i kōu hale i keia omole. Poaono lawe.
mai ai ika Luna Makai, na ano poelele ho-
maka makou e hele mai ko makou hale
mai, a hiki ma kahi o Selama, hoi aku ma-
kou ma kahi o kela haole, hoi mai makou
mai o ke Kapiena Makai, hele makou e kuai
ika lama ma kahi o keia haole, kukui no
ko ka hale o ka mea hoopiia, i kela wa ipukukui
aniau, he lanai maima, he mau lumi ma-
hope hale, kiekie kela iluna, he alapii ko kela
hale ma ka aoao, ma kahawai, elua puka o
kela hale, ma ka puka ma ke alo makou i
komo mai ai, owa kai komo iloko, ma
ka puka o Peleue ma kahi i ku ai, ma ka-
hi aoao kekahi a ma kahi aoao kekahi, iā
i komo aku ai, e ku ana ka mea hoopiia i
luna ma ke pio o ke pakaukau, ninan aku
wan, he lama no kou? Ae mai keia haole he
palani ka luna, kii aku keia haole ma ka
lumi, ma ka aoao, ma kahawai, a ohe kukui
oia lumi, ma kahi no ~~wa~~ au i ku mau ai
wan, haauria mai kela omole iā, ha-
wi aku wan i ke dala, loa kela omole
ia ma kou, hoi makou ika hale, na hoi
loa makou a hiki ma ka hale, hoi hou
mai ma kahi o kela haole, ika wa i hoi
mai ai mai kahi mai o ka Luna Makai.

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L. H. Stolz Hooihikiia

L. H. Stolz kōi inoa Kapena Makai no Ka
Apana. Waiuea, Kamaaina an me ka mea
hooihikiia Kamaaina an me Keaupuni, me
Keaupuni keia omole Koniaka ma Kakahi-
aka oka la 8 o Nov. ma ia la na hooko an
ikekahi palapala huli, manuli oke kau-
oha via palapala huli, na hooko wau na
loaa iāu ewalu omole via keia man omole
loaa iāu ma ka lumi mauka ma ka aoao
ma Kahawai na loaa keia omole iāu ma-
nua aku aku oka hora 9. Kakahiaka poao.

Na olelo ike a ka mea Hooihikiia

William Dix Hooihikiia

W. Dix kōi inoa, noho ma Waiuea maloko
okekahi hale hoolimalima me kala kokoke
ma ke alauni kela hale oū, hale kiekie kela
ilima, he alapii ko kela hale ma Ka aoao
makai, he lanai ko kela hale makai, aole
alapii ma ka aoao ma Kahawai, eha puka
komo o kela hale, na ike an hookahi olakou
manua, na ike an iaia ma ka popoalima
i halo, hora 11 hapa la 7 paha ia o Nov 1890 ke
kanaka Hawaii hope loa i hoike ihonui, via
kai i ike, na ike an ia Keaupuni i ke komo
ana maloko oka hale, na ike an iaia i kona
puka ana iwaho a hoi, ike wa i komo ai, ninau

aku wau iaia heka kou makemake pane
mai oia. makemake au e kuai i waua. i
aku wau iaia aole loa ia i ka waina. ni-
nan mai o Keaupuni. loa au i ia a ka
Palani a Gini paha. pane wau iaia. na loa
ia i ka palani, na hoolu aku wau i keka-
hi man kanaka a haole paha. i Kamaaina
ia i. aole au i kuai i kahi onole Palani me
Keaupuni i kela po. ke mana au i au kou
onole Palani keia. e wale onole i koe elike
me keia huiua apan e wale onole. na kono
mai kela kanaka a ku ma ka puka malo-
ko. mana au na noho malua o ka puka
puka au i waho i ka nini. na ka lanai
hoi mai au halawai au me Keaupuni.
kokoke ma ka ipuka. kokoke no o Keaupuni
i kahi ona onole. i ku ai hiki no iaia ke
ike i ke po o ona onole. ia manawa au i
hoi mai ai. noi hou o Keaupuni e kuai i
onole Palani. aole wau i ae aku. aole wau i
haawi iaia i kaha Palani. i kou hoolu
ana hoi kela kanaka. o Keaupuni wale no
aole wau i ke kahi kanaka e ae ia po. aole
haawi kela kanaka ia i na ke kuai lua
dala. aole loa iaia keia onole ma ke kuai
aole au i ike pehea la ka loa ana o keia
onole ia Keaupuni. hoi aku o Keaupuni
pani aku wau i ka puka. ki a pan hele
makai iki. a hoi aku wau hiamae, i ka

manawa hele mai o Lūi, ma kōu hale, ike
au ma nalowale kekahi omole, ma ka poa-
no la 8 o Nov, ke hoomaia nei au a ohe nele
ka ike o ke Kapena Makai i kōu haohao ana
i ka nalowale ana o kekahi omole Palani oū
i kōu wa haalele i ka hale, ma ike au hookahi
kanaka ma ke poa o ke alapii, aole o Kaupuni.
ni.

Malalo o keia man olele ike o na hoike o ka ao-
ao alii, ma hookolo au i kōu olelo hookolo na
ahewaia ka mea hoopiiia, ma hoopaiia oia
Hookahi Hareri dala (\$100.00) a me na kōina \$3.40
Ma hoopii hou oia inua o ke fiiire o ka Aha
Kaupuni Apama Eha Kau o Feb A.D. 1891

J. K. Kapuniāi
L. A. Apama o Waima Mokuapuni o Kauai

District Court of Waimea,
Nov. 10th 1890.

Rex vs William Dix
Charged with Selling Liquors Without
a Licence on Nov. 7th 1890. Contrary
to Sec 3 of Chapt. 44 Session Laws
of 1886.

Deft pleaded - Not Guilty.

C. B. Stofguard was sworn as Interpreter.

Plene sworn:

Mahaka
Reside at Waimea - know deft - I saw the bottle
at the first time at deft's house on Friday Nov. 7th 1890,
when I in company with Keaupuni and Matkawela went
to deft's house, on our arrival there Matkawela and
myself stood at the ^{door} gate, and Keaupuni alone went
in - Keaupuni asked deft if he had any liquor for
selling, and deft admits that he had - Keaupuni
asked deft again as to the price of one bottle, which
deft said that \$2.⁰⁰ per bottle - Deft then went after
and brought this bottle, he handed same to Keaupuni
for which Keaupuni paid \$2.⁰⁰ which were placed
in deft's own hand - we went up to Deputy Sheriff
L. H. Stolz and laid the charge with him - it was dark
when we arrived at deft's house - I left my house
when it was dusk and we all went up direct to deft's
house - two verandahs to said house, one on mauka
and one on makai side - there are three doors to said

house, including the one on the verandah - we went in through the matakai door, we stood at the door, ^{and} there was light in the house, stood on the table - the bottle was on the back verandah, within a little room at that part of the house - two dollar pieces were pulled out of Heaupuni's own pocket ^{and} placed into the hands of deft - they stood on the mauka side of the table - there was no moon on that night - after we left deft's house we went direct to L. H. Stolz, the Deputy Sheriff's place.

Matakawela sworn:

Reside at Waimea - I know deft - I met him last Friday night Nov. 7th at his own house, there were three of us went there, myself, Peleue ^{and} Heaupuni - we went there on purpose to buy a bottle of liquor. we bought from deft one bottle of brandy for \$2.00 deft handed the bottle to Heaupuni ^{and} Heaupuni passed the money right into deft's hands - when we had the bottle, we took it to Stolz - it was dusk when we started for the deft's house, which was at Miponaitiki, on the side of the road - it was a two-story house, with small rooms in the back - there are two doors to it, one on matakai ^{and} one on mauka - we were at the upstairs - the steps of said house were on the East side - Heaupuni went right in ^{and} Peleue ^{and} myself stood ^{on each side of} the door - the door was still opened ^{and} deft was within standing up - Heaupuni went in ^{and}

talked to Sept, asking him if he had any liquor
for sell, Sept said that he had brandy - Neaupuni
asked him again as to the price per bottle, Sept
said, it was \$2.⁰⁰ for one - the price suited Neaupuni
so he handed the money right into Sept's hands,
and Sept himself gave the bottle of brandy to
Neaupuni - it was a dollar piece and 2 fifty
cent pieces - after we got the bottle we went
back to our house and on the following morning
we brought the said bottle to Stolz - I brought
the bottle down and Neaupuni handed it to Stolz -

Neaupuni sworn:

Reside at Waima - saw Sept on Friday Nov.
7 at his house at Kiponaiti - Makawela.
Pelee and myself went to his house for on purpose
of buying some liquor - I bought 1 bottle of
brandy from Sept and I paid for it \$2.⁰⁰ - they
were two dollar pieces - after I bought the
bottle of liquor, Sept gave me a glass of brandy.
I took the bottle to my house and on the following
morning we brought it to Deputy Sheriff - it
was getting dark when we left my house, we
went to Selama's house and from there we went
direct to Sept's house - there was a light
burning within - there was a verandah in the
front and two rooms in the back - it was
a two story house with steps on the side
3 toward the stream - there are two doors to the

said house ^{and} we came in through the front door. I went right in ^{and} Peleue ^{and} Makawela stood on the opposite side of the door. I met Dept who was standing on the head of the table. I asked him if he had any liquor, he told me that he had some brandy ^{and} he went for it in one of the back rooms - there was no light in it - he came back with the bottle, he gave it to me ^{and} I paid him the money - after getting the bottle we went home.

L. H. Stolz sworn:

I am Captain of Police for the District of Waimoa - know Dept ^{and} Heaupuni - found this bottle with Heaupuni on the morning of Nov. 8th - on the same day a Search Warrant was issued for searching the premises of said Dept, I served said Warrant ^{and} found these eight bottles within the mauka one of the back rooms - the search was made before 9 o'clock Saturday morning.

Prosecution Rest.

Dept's Wits:

William Dix sworn:

Reside at Waimoa in a house rented by Kala and myself - it was a two-story house stands on the roadside - the step was on makai side ^{and} not on the side toward the stream - the verandah is on makai side - there are four doors of that house - I know

one of them ~~what~~ is the last witness on stand, on Friday night Nov. 7th 1890 at about 11 P.M. he came into my house ^{and} I asked him what he is after? he said, he wanted to buy some liquor. I told, I have some brandy but not for selling. Some of my good friends, both Hawaiian ^{and} foreigners came ^{and} requested for liquor, but I sold them none - I never sold any bottle of brandy to Keaupuni during that night - I think this bottle of brandy belongs to me - I had nine bottles in all including this one - that man came in ^{and} stood at the door or he sat on a box - I went out ^{and} come back again ^{and} Keaupuni was still at the door, close to the place where the bottles are placed, from where he stood the heads of bottles could be seen plainly - when I came in Keaupuni asked me again if I could sell him any bottle of brandy, I refused him giving any, ^{and} I never also gave him a glass of brandy - After I refused giving Keaupuni any liquor he went home - I never saw any other man besides Keaupuni during that night - that man never gave me the \$2.⁰⁰ ^{and} he did not get this bottle by buying from me, how he get it I cannot tell - after Keaupuni went home, I locked the door ^{and} went out walking downward ^{and} on returning I went to bed - when Doty came to my house ^{on Saturday Nov. 8th} I found out that one of the bottles was missing - I think the Capt.

did notice ^{my} surprise when I found out one of my bottles
was missing - when I was preparing to leave the
house I notice a man at the top of the steps, it
was not Kaupuni of course.

By the Court: Deft is guilty of the charge
fined \$100. and \$3.40 costs.

Deft noted an appeal to Jury of the 14 Judicial
Circuit July Term N. D. 1891.

J. M. Kapuni'ai.

Dist. Justice Waimanalo, Hawaii.